

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TRUMP YOUR COMPETITION, INC., : 15 Misc. 00400
: Plaintiff-Applicant, : In re Proceeding No. 91217618
v. : (Pending before the United States
: Trademark Trial and Appeal Board)
:
DONALD J. TRUMP, :
: Defendant-Opposer. :
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DECLARATION OF DANIEL H. WEINER

DANIEL H. WEINER declares and says:

1. I am a member of the firm Hughes Hubbard & Reed LLP, counsel for Defendant-Opposer Donald J. Trump ("Defendant-Opposer" or "Mr. Trump") in this proceeding. I submit this declaration (i) in opposition to the motion by Plaintiff-Applicant Trump Your Competition, Inc. ("TYC") to compel Mr. Trump's trial testimony in a related proceeding between the parties (the "TTAB Proceeding") pending before the United States Trademark Trial and Appeal Board (the "TTAB"), pursuant to Fed. R. Civ. P. 45(d), and (ii) in support of Mr. Trump's motion for a protective order pursuant to Fed. R. Civ. P. 26(c) precluding TYC from deposing him in the TTAB Proceeding. I am familiar fully with the facts and information set forth herein based on my personal knowledge and my review of correspondence and other documents.

2. I attach hereto as exhibits true and correct copies of the following documents:

Exhibit Description

- A Declaration of Donald J. Trump, dated January 4, 2016
- B Decision in *Yung v. Trump*, 11 CV 01413 (DLI)(VVP) (E.D.N.Y. Oct. 21, 2011)
- C Transcript of the Deposition of Alan Garten (Nov. 12, 2015)
- D Declaration of Alan Garten, dated January 4, 2016
- E Printouts from the electronic database records of the U.S. Patent and Trademark Office showing the current status and title of Mr. Trump's trademark registrations
- F Mr. Trump's Initial Disclosures
- G Mr. Trump's Pretrial Disclosures
- H Mr. Trump's Supplemental Pretrial Disclosures
- I Mr. Trump's Notice of Taking Testimony Deposition of Alan Garten
- J TYC's Notice of Taking Testimony Deposition of Donald J. Trump.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 4th day of January, 2016
New York, New York



Daniel H. Weiner